

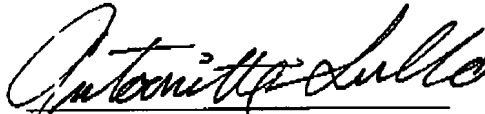
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(203) 789-0582TELECOPIER COVER LETTERTo: USPTOFrom: William B. SlateFAX #: 571-273-8300Date: September 25, 2007Your Ref.: SN 10/734,696Our Ref.: EH-10762(03-501)Number of Pages including this sheet: 6Confirmation Copy to Follow: Yes XX No

* Comments:

I hereby certify that this correspondence is being facsimile transmitted this 25th day of September, 2007 to the USPTO, at Fax No. 571-273-8300.


Antoinette Sullo

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.:	10/734,696	Att'y Docket:	EH-10762 (03-501)
Filing Date:	December 12, 2003	Conf No.:	1219
Inventor(s):	Robert L. Memmen et al.	Group Art Unit:	3726
Assignee:	United Technologies Corporation	Examiner:	John C. Hong
Title:	TURBINE ELEMENT REPAIR		

Correspondence Address:
Customer Number 34704

Request under 37 CFR 1.8(b) and Request to Reconsider Panel Decision

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

From inspection of the Private PAIR System on September 24, 2007, it appears that the Office may have no evidence of receipt of the Notice of Appeal filed August 30, 2007 by first class mail. An additional copy of the Notice of Appeal is attached including its Certificate under 37 CFR 1.8(a). The Notice of Appeal was filed along with a Pre-Appeal Brief Request for Review and Reasons Appendix.

It appears the Notice of Appeal may not have been scanned by the Office when the latter two documents were. Accordingly, Applicants have received a Notice of Panel Decision from Pre-Appeal Brief Review holding the request to be improper.

However, also enclosed is a copy of the return postcard identifying both the Notice of Appeal and the other documents and bearing the OIPE stamp. Furthermore, the following is a screen capture of the properties of Applicants' own scan of the three documents confirming that these were together. The title of the file in question identifies both the Notice of Appeal and the Request for Pre-Appeal Brief Review and the document has all six total pages.

Ser. No. 10/734,696

The facts that the two documents were mailed in the same envelope and that the latter two were received is clear evidence that there was proper addressing and sufficient postage.

Accordingly, Applicants request:

1. Entry of the Notice of Appeal as timely and concurrent with the Pre-Appeal Brief Request; and
2. Reconsideration of the Notice of Panel Decision for the foregoing reasons.

If required, Applicants request that this request be treated as a petition.

Please charge any fees or deficiency or credit any overpayment to our Deposit Account of record.

Respectfully submitted,

By 

William B. Slate
Attorney for Applicants
Reg. No.: 37,238

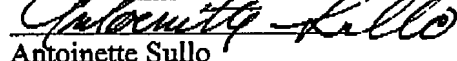
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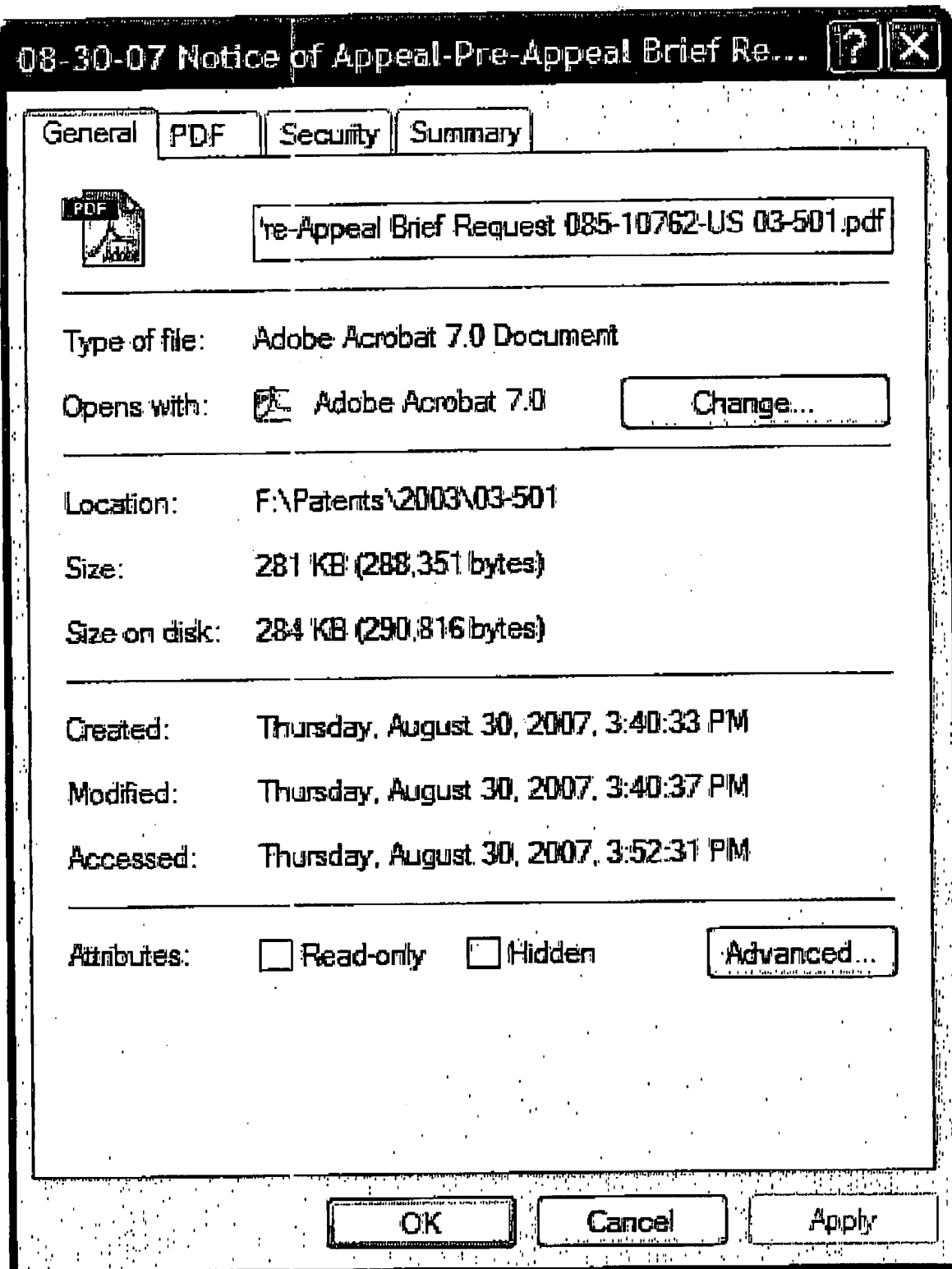
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Enclosures: Notice of Appeal
Return Postcard

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Ser. No. 10/734,696



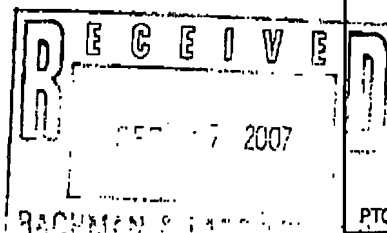
Docket No. 085.10762-US(08-501)

Serial/Patent No. 10/734,696

INV.: MEMMEN ET AL.

Mailed: 8-30-07

The date stamp of the Patent & Trademark Office
hereon confirms the date the following was received.

☐ New Application☐ Filing Date☐ Assignment☐ Drawing☒ Notice of Appeal☐ Appeal Brief☐ Power of Att.☐ Fee☐ Resp. to O.A. _____☐ Con. Doc _____☐ Check No. _____ \$ _____

PTO: Please stamp and return.

☒ Pre-Appeal Brief Request,
Reasons Appendix

No. 9012 Patent receipt card, 9-02

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